

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
R : Appeal to the Board of Patent Appeals and Interferences

PATENT
APPLICATION

In re PATENT APPLICATION of
Inventor(s): BRANSTROM et al.
Appl. No.: 08

711,961

Series Cod ↑

Serial N. ↑

Group Art Unit: 1636
Examiner.: J. Railey
Atty. Dkt. PM 235620

M#

Client Ref

Filed: September 6, 1996
Title: Bacterial Delivery System

Date: August 29, 2000

Hon. Asst. Commissioner of Patents
Washington, D.C. 20231



RECEIVED

SEP 5 2000

Sir:

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated March 3, 2000 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable).
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" statement filed: ☐ herewith. ☐ previously.
6. ☐ Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd,enter	\$300/150	\$300 119/219
If box 2 above is X'd,enter	\$300/150	\$0 120/220
If box 3 above is X'd,enter	\$260/130	\$0 121/221
If box 4 above is X'd,enter nothing	- 0 - (no fee)	
8. Original due date: June 3, 2000		
9. Petition is hereby made to extend the original due date (1 mo) \$110/\$55		115/215
to cover the date this response is filed for which the (2 mos) \$380/\$190		116/216
requisite fee is attached. (3 mos) \$870/\$435		117/217
(4 mos) \$1360/\$680		118/218
(Usable only if box 2 is X'd--- 5 mos) \$1850/\$925	+\$870	128/228
10. Enter any previous extension fee paid <input checked="" type="checkbox"/> previously since above		
Original due date (item 7); <input type="checkbox"/> with concurrently filed amendment	-\$380	
11. Subtract line 9 from line 8 and enter: Total Extension Fee		+\$490
12. TOTAL FEE ATTACHED =		\$790

(Our Deposit Account No. 03-3975)

(Our Order No. 71087 235620)

C#

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CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Pillsbury Madison & Sutro LLP
Intellectual Property Group

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

03/30/2000 EXAMINED 00600044 06711961

01 FC:119 300.00 DP
02 FC:119 Document3 490.00 DP

PAT-126 3/00